

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT**

**Call to Order:** Chairman Bill McChesney, on February 17, 2009 at 8:30 A.M., in Room 317-B Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Bill McChesney, Chairman (D)  
Sen. Rick Laible, Vice Chairman (R)  
Sen. Ken (Kim) Hansen (D)  
Rep. Walter McNutt (R)  
Rep. Jon C. Sesso (D)  
Sen. Ryan Zinke (R)

**Members Excused:** Rep. Bill Nooney (R)

**Members Absent:** None.

**Staff Present:** Mark Bruno, OBPP  
Greg DeWitt, Legislative Branch  
Shawn Graham, OBPP  
Mitzi Grover, Committee Secretary  
Matt Stayner, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Subjects heard: Department of Commerce, Department of Labor & Industry, Department of Administration, Department of Revenue

**Executive Action:**

DP 5191, DP 5192, DP 0102, DP 0204, DP 0402, DP 0902, DP 0509, DP 20001, DP 80002, DP 70003, DP 7021, DP 9000

00:00:04 Sen. Laible  
00:01:42 Matt Stayner, LFD  
00:02:59 Chairman McChesney

**Executive Action:**

**Department of Commerce**

00:04:59 Chairman McChesney  
00:05:16 Mr. Stayner

00:05:52 **Motion/Vote:** Sen. Hansen moved **TO RECONSIDER DP 5191**. Motion carried unanimously by voice vote with Rep. Nooney voting by proxy.

00:07:43 **Motion:** Sen. Hansen moved that **DP 5191 BE ADOPTED**.

**Discussion:**

00:08:11 Sen. Laible  
00:08:51 Chairman McChesney  
00:08:58 Sen. Hansen  
00:09:37 Sen. Zinke  
00:10:03 Tony Preite, Director, Department of Commerce  
00:10:13 Sen. Zinke  
00:10:18 Mr. Preite  
00:10:30 Rep. Sesso

00:11:57 **Vote:** Motion failed 3-4 by roll call vote with Sen. Hansen, Rep. Sesso and Chairman McChesney voting aye.

00:13:01 **Motion/Vote:** Sen. Zinke moved **TO RECONSIDER DP 5192**. Motion passed 6-1 by voice vote.

00:13:35 **Motion:** Chairman McChesney moved that **DP 5192 BE ADOPTED**.

00:14:01 Sen. Laible  
00:14:55 Sen. Hansen  
00:15:32 Rep. Sesso  
00:17:57 Chairman McChesney  
00:19:09 Sen. Laible  
00:20:01 Chairman McChesney

00:20:25 **Substitute Motion:** Sen. Zinke moved that **DP 5192** be reduced from \$330,000 to \$200,000 per year one time only **BE ADOPTED**.

00:21:15 Sen. Hansen  
00:21:46 Mr. Preite  
00:22:34 Andy Poole, Deputy Director, Department of Commerce  
00:23:08 Sen. Zinke  
00:24:15 Sen. Laible  
00:24:50 Sen. Hansen  
00:25:40 Mark Bruno, OBPP  
  
00:26:08 **Vote:** Motion carried 4-3 by voice vote with Chairman McChesney, Sen Hansen and Rep. Sesso voting no. Rep. Nooney voted by proxy.  
  
00:27:19 Rep. Sesso  
00:28:41 Mr. Stayner  
  
00:30:13 **Motion:** Rep. Sesso moved to create a House joint committee bill to repeal **DP 6105** Montana Equity Capital Act **BE ADOPTED.**  
  
00:31:20 Sen. Laible  
  
00:31:48 **Vote:** Motion carried unanimously by voice vote with Rep. Nooney voting by proxy.  
  
00:32:13 Chairman McChesney

**Labor and Industry**

00:33:06 Chairman McChesney  
  
00:34:04 **Motion/Vote:** Chairman McChesney moved **TO RECONSIDER DP 0102**, 21st Century workforce. Motion carried unanimously by voice vote with Rep. Nooney voting by proxy.  
  
00:34:14 **Motion:** Chairman McChesney moved that **DP 0102**, 21st Century workforce, **BE ADOPTED.**

**Discussion:**

00:35:05 Mr. Stayner  
00:35:45 Chairman McChesney  
00:37:06 Sen. Laible  
00:38:44 Shawn Graham, OBPP  
00:39:53 Rep. Sesso  
00:40:06 Mr. Graham  
00:40:45 Rep. Sesso  
00:41:31 Mr. Graham

00:42:29 Rep. Sesso  
00:43:06 Mr. Graham  
00:43:13 Todd YOUNKIN, Workforce Department, Department of Labor  
00:45:10 Sen. Zinke  
00:46:04 Mr. YOUNKIN  
00:47:07 Rep. Sesso  
00:48:14 Sen. Zinke  
00:49:33 Chairman McChesney  
00:52:05 Sen. Laible

00:53:13 **Substitute Motion/Vote:** Sen. Zinke moved that **DP 0102**, 21st Century workforce, **BE ADOPTED** after removing \$275,000 from general fund and keeping state special revenue portion \$400,000. Motion carried 4-3 by voice vote with Chairman McChesney, Rep. Sesso, and Sen. Hansen voting no.

00:55:17 Sen. Laible

00:55:27 **Motion/Vote:** Sen. Laible moved **TO RECONSIDER DP 0204**. Motion carried unanimously by voice vote with Rep. Nooney voting by proxy.

00:55:56 **Motion:** Sen. Laible moved that **DP 0204 BE ADOPTED**.

00:56:10 Rep. Sesso  
00:56:44 Mr. Graham  
00:56:50 Sen. Zinke  
00:58:01 Rep. Sesso  
00:58:07 Mr. Graham  
00:58:34 Rep. Sesso  
00:58:55 Mr. Graham

00:59:35 **Vote:** Motion carried 5-2 by voice vote with Chairman McChesney voting no and Rep. Nooney voting no by proxy.

01:00:33 **Motion/Vote:** Chairman McChesney moved **TO RECONSIDER DP 0402**. Motion carried unanimously by voice vote.

01:01:10 **Motion:** Chairman McChesney moved that **DP 0402 BE ADOPTED**.

**Discussion:**

01:01:36 Mr. Stayner  
01:01:54 Rep. Sesso  
01:02:59 Sen. Zinke  
01:03:38 Sen. Laible

01:04:52 Rep. McNutt  
01:06:14 Sen. Laible  
  
01:06:27 **Vote:** Motion carried 6-1 by voice vote with Sen.  
Laible voting no. Rep. Nooney voted by proxy.  
  
01:07:01 Mr. Stayner  
  
01:07:17 **Motion/Vote:** Rep. Sesso moved **TO RECONSIDER DP 0902.**  
Motion carried unanimously by voice vote with Rep.  
Nooney voting by proxy.  
  
01:07:39 **Motion/Vote:** Rep. Sesso moved that **DP 0902 BE ADOPTED.**  
Motion carried 6-1 by voice vote with Rep. Nooney  
voting no by proxy.  
  
01:08:26 Chairman McChesney  
01:08:31 Mr. Stayner  
  
01:08:43 **Motion/Vote:** Sen. Hansen moved **TO RECONSIDER DP 0509.**  
Motion carried unanimously by voice vote.  
  
01:09:09 **Motion/Vote:** Sen. Zinke moved that **DP 0509 BE ADOPTED.**  
Motion carried 5-2 by voice vote with Sen. Zinke and  
Sen. Laible voting no. Rep. Nooney voted aye by proxy.

**Discussion:**

01:10:01 Mr. Graham  
**EXHIBIT(jgh37a01)**  
01:13:15 Mr. Stayner  
01:15:17 Sen. Laible  
01:15:44 Mr. Stayner  
01:16:57 Sen. Laible  
01:17:19 Chairman McChesney  
01:17:24 Mr. Graham  
01:18:12 Chairman McChesney  
01:18:33 Sen. Zinke  
01:19:45 Mr. Graham  
01:20:31 Mr. Stayner  
01:20:54 Rep. Sesso  
01:22:19 Mr. Graham  
01:23:31 Tammy Lavigne, Administrator, Centralized Services  
Division, Labor and Industry Division  
01:24:22 Rep. Sesso  
01:24:36 Ms. Lavigne  
01:24:44 Mr. Graham  
01:25:24 Sen. Zinke

01:26:07 **Motion:** Rep. Sesso moved to have LFD create a DP based on numbers as presented by Mr. Graham in Exhibit(1).

01:26:24 Sen. Laible  
01:27:10 Mr. Graham  
01:27:31 Sen. Laible  
01:28:08 Chairman McChesney  
01:28:35 Sen. Laible  
01:29:36 Mr. Graham

01:30:50 **Vote:** Motion carried unanimously by voice vote with Rep. Nooney voting by proxy.

01:31:49 Recess  
01:43:37 Reconvene

**Department of Administration**

**Health Care & Group Benefits Division**

01:44:41 Chairman McChesney

01:46:11 **Motion:** Chairman McChesney moved the language: "The department is appropriated up to \$500,000 of state special revenue each year of the biennium to assist agencies in reducing workers' compensation injuries and costs. These funds may not be expended for activities that duplicate other agency expenditures or programs."  
**BE ADOPTED.**

**Discussion:**

01:46:24 Mr. Stayner  
01:46:30 Mr. Bruno  
**EXHIBIT(jgh37a02)**  
01:48:30 Chairman McChesney  
01:48:39 Sen. Laible  
01:49:34 Rep. Sesso  
01:50:46 Mr. Bruno  
01:51:00 Rep. Sesso  
01:51:29 Mr. Stayner  
01:51:58 Rep. Sesso  
01:52:05 Chairman McChesney withdrew motion.

01:52:12 **Motion:** Chairman McChesney moved to change language appropriation to: "The department is appropriated up to \$250,000 of state special revenue each year of the biennium to assist agencies in reducing workers' compensation injuries and costs. These funds may not be expended for activities that duplicate other agency expenditures or programs," **BE ADOPTED.**

**Discussion:**

01:53:28 Chairman McChesney  
01:54:17 Sen. Laible  
01:56:10 Sen. Zinke  
01:57:01 Chairman McChesney  
01:57:10 Connie Welsh, Health Care Administrator, Department of Administration  
01:58:42 Sen. Zinke  
01:59:05 Ms. Welsh  
01:59:46 Sen. Zinke  
01:59:58 Ms. Welsh  
02:01:01 Sen. Zinke  
02:01:37 Ms. Welsh  
02:02:21 Rep. Sesso  
02:02:48 Ms. Welsh

02:03:33 **Vote:** Motion failed unanimously by voice vote with Rep. Nooney voting by proxy.

02:04:13 Mr. Stayner  
02:04:54 Sen. Zinke  
02:06:19 Chairman McChesney  
02:06:34 Sen. Laible  
02:07:57 Chairman McChesney  
02:08:57 Sen. Laible  
02:10:00 Greg DeWitt, LFD

**EXHIBIT(jgh37a03)**

02:10:44 Rep. Sesso  
02:12:10 Sen. Laible

02:12:52 **Motion/Vote:** Sen. Laible moved to recommend for interim action the Legislative Finance Committee review policy issues related to pricing of state group health insurance in conjunction with the Interim Committee on State Administration and Veterans' Affairs (see Exhibit (3) number 3a) **BE ADOPTED.** Motion carried unanimously by voice vote.

**Department of Revenue**

02:15:11 Chairman McChesney

02:16:06 Mr. DeWitt

**EXHIBIT(jgh37a04)**

02:16:43 **Motion:** Rep. Sesso moved that **DP 20001 BE ADOPTED.**

**Discussion:**

02:17:07 Rep. Sesso

02:17:40 Dan Bucks, Director, Department of Revenue

02:20:27 Rep. Sesso

02:20:48 Mr. Bruno

02:20:59 Mr. DeWitt

02:21:33 Rep. Sesso

02:21:56 Mr. DeWitt

02:22:41 Sen. Laible

02:23:30 Mr. Bucks

02:25:00 Sen. Laible

02:25:22 Mr. Bucks

02:26:14 **Vote:** Motion carried 5-2 by voice vote with Sen. Laible and Sen. Zinke voting no.

02:27:21 **Motion/Vote:** Chairman McChesney moved **TO RECONSIDER DP 80002.** Motion carried unanimously by voice vote.

02:27:47 **Motion:** Chairman McChesney moved that **DP 80002 BE ADOPTED.**

02:28:32 Sen. Laible

02:28:57 Rep. Sesso

02:31:12 Chairman McChesney

02:31:29 Mr. Bucks

02:32:44 **Vote:** Motion failed 3-4 by voice vote with Sen. Hansen, Rep. Sesso and Chairman McChesney voting yes. Rep. Nooney voted by proxy.

02:33:48 **Motion/Vote:** Chairman McChesney moved **TO RECONSIDER DP 70003.** Motion carried unanimously by voice vote.

02:34:22 **Motion:** Rep. Sesso moved that **DP 70003 BE ADOPTED.**

**Discussion:**

02:35:01 Rep. Sesso



02:36:12 Chairman McChesney  
02:36:33 Sen. Laible  
02:36:52 Mr. DeWitt  
02:37:00 Sen. Laible  
02:37:51 Mr. DeWitt  
02:38:17 Sen. Zinke

02:38:52 **Substitute Motion:** Sen. Laible moved that **DP 70003** to continue funding with no FTE attached, one time only **BE ADOPTED**. Motion carried unanimously by voice vote with Rep. Nooney voting by proxy.

02:40:16 **Motion/Vote:** Chairman McChesney moved **TO RECONSIDER DP 7021**. Motion carried unanimously by voice vote with Rep. Nooney voting by proxy.

02:40:32 **Motion:** Sen. Hansen moved that **DP 7021 BE ADOPTED**.

02:40:48 Rep. Sesso

02:42:22 **Substitute Motion:** Sen. Laible moved that **DP 7021**, to use special funding with no FTE, one time only, **BE ADOPTED**.

**Discussion:**

02:43:38 Chairman McChesney  
02:43:44 Alan Peury, Deputy Director, Department of Revenue  
02:45:17 Chairman McChesney  
02:45:26 Mr. Peury

02:45:58 **Vote:** Motion carried unanimously by voice vote.

02:46:56 **Motion:** Chairman McChesney moved **TO RECONSIDER DP 9000**.

02:47:13 Sen. Laible  
02:48:08 Mr. DeWitt  
02:48:25 Sen. Zinke  
02:50:37 Mr. DeWitt  
02:51:51 Sen. Laible

02:52:56 **Vote:** Motion carried unanimously by voice vote.

02:52:17 **Substitute Motion:** Sen. Zinke moved that **DP 9000 BE ADOPTED** and be contingent upon passage and approval of SB 315.

**Discussion:**

02:54:04 Rep. Sesso

02:54:09 Mr. Bruno

02:54:26 Rep. Sesso

02:54:45 Mr. DeWitt

02:55:03 Rep. Sesso

02:55:48 Mr. DeWitt

02:56:02 Rep. Sesso

02:56:48 Mr. DeWitt

02:57:17 Rep. Sesso

02:57:44 **Vote:** Motion carried unanimously by voice vote with  
Rep. Nooney voting by proxy.

02:58:45 Rep. Sesso

02:59:32 Mr. Bucks

**ADJOURNMENT**

02:59:45 Adjournment: 12:15 p.m.

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Mitzi Grover, Secretary

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Additional Documents:

**EXHIBIT ([jgh37aad.pdf](#))**